

# Exhibit 34

**From:** Buongiorno, Matt  
**To:** Daniel Garrie; Anne Lieu; Michael Mann; Lesley Weaver; Matthew Melamed; Derek Loeser; Chris Springer; Anne Davis; Cari Laufenberg; David Ko  
**Cc:** Snyder, Orin; Stein, Deborah L.; Falconer, Russ; Davis, Colin B.; Kutscher Clark, Martie; Swanson, Alexander; Mumm, Laura C.; Herbert, Kelly E.  
**Subject:** In re Facebook: Depositions of Akins, O'Hara, Ariciu  
**Date:** Tuesday, January 18, 2022 5:41:56 PM

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Counsel,

We write to inform you that we will need to reschedule Steven Akins's, Jordan O'Hara's, and Jason Ariciu's depositions for a later time. We are postponing these depositions because we continue to lack basic discovery from Plaintiffs—including discovery regarding the bases of Plaintiffs' claims, alleged injuries, and alleged damages. As you know, we will be filing two motions to compel this information later this week, and we expect to file a motion to compel regarding Plaintiffs' Rule 26 disclosures in short order, given that Plaintiffs did not disclose their alleged damages theories and model as required in their amended disclosures last week. In addition to these issues, we do not see how Plaintiffs' productions could be near complete given that Plaintiffs waited until just two weeks ago to respond to search terms Facebook proposed in September 2021.

We are disappointed that we will not be able to move forward with these depositions at this time, particularly given that it took more than two years to schedule them. But, given the Amended Deposition Protocol's presumption against reopening depositions and Plaintiffs' ongoing failure to disclose the most basic information about their case, Facebook has no choice but to postpone these depositions until a later time.

Regards,

**Matt Buongiorno**

**GIBSON DUNN**

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